

The Salisbury Planning Board held its regular meeting on Tuesday, January 13, 2004, in the City Council Chambers of the Salisbury City Hall at 4:00 p.m. with the following being present and absent:

PRESENT: Fred Dula, Mitzi Clement, Rodney Queen, Jerry Wilkes, Lou Manning, Sandy Reitz, Ken Mowery, Jeff Smith, Brian Miller, Sean Reid, Len Clark

ABSENT: Eldridge Williams

STAFF: Dan Mikkelson, Joe Morris, Harold Poole, Patrick Ritchie, David Phillips, Janet Gapen, Tammy File, Diana Moghrabi

The meeting was called to order by Chairman Dula. The minutes of December 9, 2003, were approved as published.

JERSEY CITY NEIGHBORHOOD

There was discussion about an M-1 zoning study on W. Innes Street near the Fuchs Building and Freirich Foods located at 815 W. Kerr St., Salisbury, NC 28144. The initial phase of the Jersey City Neighborhood plan was conducted between November 2002 and April 2003 with an emphasis on citizen involvement.

Joe Morris made a presentation to bring the Planning Board up to date on matters concerning the Jersey City Neighborhood. It was clarified that this is not a public hearing or a courtesy hearing, and that the full neighborhood has been invited to participate in their concerns. Mr. Morris described a boundary, which had been created in 1978 that was part of a HUD program for housing in the area. Reference was made to the Ezra Nehemiah Group's report on the subject.

Those speaking on behalf of the Jersey City Neighborhood:

James W. Donaldson, 732 W. Kerr St. a citizen of Jersey City Neighborhood. Positives about the neighborhood include Freirich Foods as an employer, a good and worthy product, and the cooperative nature of Freirich Foods representatives in hearing the concerns of residents. Negatives: (1) The speeding problem, which endangers children and adults alike. He recommends putting in speed bumps to slow down large trucks. (2) The potholes in the pavement that the trucking traffic has created are a nuisance. (3) The unsightly erosion of landscape and curbing caused by the trucks coming through the neighborhood to the Freirich Foods plant. He sited particular locations where this erosion has occurred in the Jersey City Neighborhood.

Everett Bruffman, 704 Holmes, supports comments made by James W. Donaldson. His main concern is child endangerment due to the truck traffic. He encourages coverage by the police department, as well as the installation of sidewalks with monies allocated for improvements if the trucks can be prevented from damaging the sidewalks.

Jeff Freirich, President of Freirich Foods, 815 W. Kerr St., Salisbury, NC 28144. Mr. Freirich acknowledged the concerns of the Jersey City Neighborhood residents and supports lowering the speed limit to 15 or 20 miles per hour. He is in favor of anything Freirich Foods can do to lower the potential for harm to children in the neighborhood. The company has talked to their nearly 100 employees about the speeding issue. Mr. Freirich believes that the installation of speed bumps would be a positive for all. The company has invested money, with the permission of the landowner, to put stone at the corner in order to prevent the corner from being eroded or damaged. Truck drivers have been encouraged to use N. Craige, then right on W. Kerr, as their main access to the plant. They have discouraged truckers from using N. Caldwell in a way to avoid further erosion of the land and curbing. They will do what they can to minimize the impact of their operation on the neighborhood.

Ben Neal, a new Jersey City Neighborhood resident, supports a down zoning of the Freirich Foods plant in order to protect the future of the neighborhood from a less agreeable business locating there.

Nora Faucette, a long time resident, said there has been a great improvement on the issue of odors. She supports a down zoning to protect the future of the neighborhood.

Tracy Castor, Sr. Director, with Rowan Regional Medical Center Child Development Center, which has been located in the neighborhood for nearly 15 years. The center has about 100 children from the ages of six weeks to four years old enrolled, and they operate seven days a week. She has concerns for the safety of the children in their care. They have received notifications about excess emissions and poor air quality that caused the center to bring the children indoors. The center would like to see industrial zoning limited.

Board Discussion

Brian Miller asked Joe Morris about the early history of the neighborhood. Harold Poole made clarifications about the early annexation of the neighborhood, and about the benefits of limited industrial use that down zoning would offer, without interfering with its current use. Sean Reid was happy that the topic of emissions was mentioned, and encourages the Planning Board to be consistent in their consideration of the down zoning. Sandy Reitz asked for conformation that reducing the speed limit, coupled with sidewalks, would reduce erosion and damage to curbing. The “yes” response added that the road should be widened so trucks could negotiate the turns.

GROUP DEVELOPMENT SITE PLAN

G-13-03 H. D. Isenberg Elementary School, 2800 Jake Alexander Blvd. N.

Mr. David Phillips gave the presentation on G-13-03 H.D. Isenberg Elementary School. The school’s plan includes classrooms, a kitchen, and a parking lot addition to be located on the southern side of the property. The City is requiring that they landscape the parking lot and street

trees. The Technical Review Committee recommends approval of the application, noting the following recommendations:

- (1) Sidewalks should be installed along the front of the property in anticipation of connection to future development. If not feasible, then an alternative solution is to run a sidewalk up to the front of what is being developed.
- (2) Another catch basin should be installed due to the increased pavement, which will create greater runoff than the existing drainage could handle.

Brian Miller requested clarification on the discussion of the drainage needs. Sandy Reitz requested clarification on current sidewalk connections.

Those speaking in favor of the improvements:

Bill Burgin noted that his company had complied with six out of eight recommendations that the Technical Review Committee recommended. They did not object to the other two recommendations, but feel that the sidewalks would cost the school more dollars than the public would benefit at this time. In regard to the catch basin he believes that what is in place is adequate.

Those speaking in opposition to the improvements: none

Board Discussion

Rodney Queen acknowledged that the sidewalks would not connect to anything at this time and that the current catch basin can already carry a lot of water. Mr. Queen then made the motion to approve as submitted. Ken Mowery seconded the motion. Jeff Smith felt it appropriate that the sidewalk at least run in the front of the new addition, if not across the entire front, and felt he would have to vote against the motion. Ken Mowery clarified that he sees the potential for sidewalks to be added in the future. The motion carried as submitted with 10 members voting AYE and one NAY.

Note: The sidewalks were a recommendation and not a requirement.

PRELIMINARY PLAT SUBDIVISION

S-4-92 Oakview Commons, Phase 3

Patrick Ritchie gave a presentation on Oakview Commons, Phase 3, and the expansion of an existing subdivision located on Faith Road. The developer has asked that Phase 1 (there were four phases in total) be divided in two sections and that a stub street be removed because it is no longer necessary. The Technical Review Committee reviewed the revisions and found no objections to the changes. Upon approval of the revisions, the Planning Board would need to also renew the relief from standards from Section 5.02.11 of the Subdivision Ordinance to allow the street to extend 800 feet when Phase 1B is constructed. In considering the removal of the

stub street the resulting cul-de-sac would be 675 feet, which exceeds the allowable 600 feet. If this revision is approved it would require relief from standards from Section 5.02.12 of the Subdivision Ordinance to allow the length of the cul-de-sac to exceed 600 feet.

The Planning Board has three options:

- (1) To deny the request and the current plat, which is valid until August 12, 2005, would remain in effect and the developer can build as previously submitted.
- (2) To approve the developer's request as submitted, which will allow the phasing and removal of the stub street.
- (3) To pick either option or not the other.

Those speaking in favor of the proposed revisions:

John Fletcher, the developer who resides in Concord, noted that the stub street "did not go anywhere." The purpose of separating 1A is due to gravity flow to the sewer. The rest of the Phase 1 would be connected to the pump station as discussed with the Utility Department.

Those speaking in opposition of the proposed revisions: none

Board Discussion

Sean Reid moved to approve revisions as submitted, granting relief of standards to a street and to a cul-de-sac as previously stated. Rodney Queen seconded the motion with all 11 members voting AYE.

COMMITTEE REPORTS

Z-19S-03 John Knox-US 70 (Statesville Blvd.) and Ashbrook Road (entrance to Westcliffe) – Committee 3, Ken Mowery, Chair, made a motion to rezone said lot to BRT-S – One use for the property to be used for parking lots. The Committee added the option of a site plan review for proposed parking lot for the future due to the issue concerning the possible connectivity to Ashbrook Road. The motion was seconded with all members voting AYE.

Harold Poole noted that there is an attached parcel, Z-20S-03, described as a 12' wide lot, which is not a part of the lot that was recommended for rezoning; it is presently zoned as R20. It has a different owner, who is willing to have the property rezoned to the BRT-S with the same requirements. Brian Miller made a motion to schedule a Courtesy Hearing for next meeting. Lou Manning seconded the motion. There was further board discussion for clarity on the lot. A vote was requested with all members voting AYE.

Paintball Facilities – Committee 2, Brian Miller, Chair, (1) Indoor Facilities - A motion was made recommending to allow indoor paintball facilities in the B-4 district, skip B-5, skip B-6, allow in B-7, M1, M2, LLI, LLI-2. This excludes paintball facilities from downtown and encourages it around areas like The Salisbury Mall. The motion was seconded with all members voting AYE. (2) Outdoor Facilities – The committee has a dilemma about the size requirements

and plans a site visit to a facility off Ridge Road. Then the committee plans to make a recommendation at the next meeting. Jerry Wilkes will set up the site visit.

Open Space – Legislative Committee B, Jeff Smith, Chair, reported that the committee had a good meeting in December and has submitted a report stating that they are continuing to work on it. Meeting scheduled for Thursday, January 22, at 7:30 a.m. at the Hospital.

Goals – Rodney Queen called attention to the report distributed to members and added that item number seven (concerning open space) to be a priority, in order to offer the opportunity to develop more favorable open space neighborhoods reported. He made a motion to approve the goals set forth in the report. Lou Manning seconded with all members voting AYE.

Ethical Principles – Special Committee, Sandy Reitz, Chair, proposed an 8:00 meeting for Friday, January 16 at the Hospital. No report at this time.

Gross Retail Sales – FY 02-03 for Salisbury & Rowan County was presented, with comparisons over the last 5 and 10-year periods. A report was distributed with an analysis that demonstrates a positive growth – less growth in the past five years. Harold Poole noted that the City of Salisbury has less than 4% total county land area, about 21% of the population of the county, and yet over 60% of the gross retail sales. There was a discussion about the unemployment rate in Rowan County and its effect. Jeff Smith asked about the impact of Wal Mart on gross retail sales.

Harold Poole volunteered to discuss planning related action from the City Council Meeting of December 16, and Tuesday, January 6, 2004. City Council approved the rezoning of Z-18-03, the police station property at 130 E. Liberty Street from B-6 to B-5.

The January 27, 2004 Planning Board meeting will feature the Executive Director of the Land Trust of Central North Carolina, Mr. Jason Walser. There will be a Courtesy Hearing on property at 2490 Statesville Blvd. (Z-20S-03).

There being no further business to come before the Board, the meeting was adjourned.

Chairman

Secretary